

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re NuWay Litigation

Consolidated Civ. Case No. 21-cv-171
(SRN/DLM)

JOINT STIPULATION OF DISMISSAL

The United States, the State of Minnesota, the Relators, and Defendants, under Fed. R. Civ. P. 41(a)(1) and the False Claims Act, 31 U.S.C. § 3730(b)(1), and based on the terms of the parties' Settlement Agreement, hereby stipulate to the entry of an order dismissing the consolidated actions as follows:

1. Except as provided in paragraph 2, the consolidated actions are dismissed with prejudice as to all Relators' claims in these actions against all named defendants (individually and collectively, "NUWAY"); with prejudice as to the United States and the State of Minnesota against NUWAY as to the Covered Conduct in the parties' Settlement Agreement; and otherwise without prejudice.

2. The dismissal in paragraph 1 excludes Relator Marston's claims under 31 U.S.C. § 3730(h), Minn. Stat. § 15C.145, Minn. Stat. §§ 181.931-933, 935-936, Minn. Stat. § 317A.521, his claim under the Declaratory Judgment Act, 28 U.S.C. § 2201, his common law claims for breach of contract and declaratory

judgment, his certain unfiled ERISA claims, and his claims for attorneys' fees, expenses, and/or costs in connection with such claims.

3. A proposed order accompanies this Stipulation.

Dated: July 21, 2025

Respectfully submitted,

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Dated: July 21, 2025

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Dated: July 3, 2025

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Dated: July 10, 2025

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Dated: July 2, 2025

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